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0210-03



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of

Docket No: Q66405

Robert HOFNER

Appln. No.: 09/989,231

Group Art Unit: 2661

Confirmation No.: 9606

Examiner: Not Yet Assigned

Filed: November 21, 2001

For: A FUNCTIONAL FAIL-OVER APPARATUS AND METHOD

RECEIVED

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

FEB 03 2003
Technology Center 2600

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. U.S. Patent No. 5,978,399, issued on November 2, 1999 to Wyld et al.
2. U.S. Patent No. 2002/0133608 A1, issued on September 19, 2002 to Godwin et al.
3. U.S. Patent No. 2002/0007468 A1, issued on January 17, 2002 to Kampe et al.
4. U.S. Patent No. 6,161,191, issued on December 12, 2000 to Slaughter et al.
5. U.S. Patent No. 5,964,886, issued on October 12, 1999 to Slaughter et al.
6. U.S. Patent No. 6,173,413 B1, issued on January 9, 2001 to Slaughter et al.

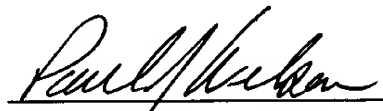
INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 09/989,231

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from the ISA/US, concerning an International Application corresponding to the subject US Application, and in which the above references were cited.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: January 31, 2003

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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|------------------------|-------------------|
| Application Number | 09/989,231 |
| Confirmation Number | 9606 |
| Filing Date | November 21, 2001 |
| First Named Inventor | Robert HOFNER |
| Art Unit | 2661 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | O66405 |

| Examiner Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
| | | Number | Kind Code ² (if known) | | |
| | | US 5,978,933 | A | 11-02-1999 | Wyld et al. |
| | | US 2002/0133608 | A1 | 09-19-2002 | Godwin et al. |
| | | US 2002/0007468 | A1 | 01-17-2002 | Kampe et al. |
| | | US 6,161,191 | A | 12-12-2000 | Slaughter et al. |
| | | US 5,964,886 | A | 10-12-1999 | Slaughter et al. |
| | | US 6,173,413 | B1 | 01-09-2001 | Slaughter et al. |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
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| | | NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL SEARCH OR THE DECLARATION | |
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Date Considered

¹ Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.